

7-16-01

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**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No: 28110/36120C

**CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a

- ☒ continuation application.
☐ divisional application.

1. Particulars of Prior Application

Application Serial No: 09/240,639
Filed on: January 29, 1999
Title: Methods and Compositions Relating to CD39-Like
Polypeptides and Nucleic Acids
Art Unit: 1644
Examiner: A. DeCloux
Prior Docket No.: 28110/36120

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **July 13, 2001**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL564460476US.

Richard Zimmermann

2. This request is filed by:

1. Full Name of Inventor	Family Name Chadwick	First Given Name Brian	Second Given Name Paul
Residence & Citizenship	City Allston	State or Foreign Country MA	Country of Citizenship United Kingdom
Post Office Address	Post Office Address 1246 Commonwealth Avenue No. 55	City Allston	State & Zip Code/Country MA, 02134
2. Full Name of Inventor	Family Name Frischauf	First Given Name Anna-Maria	Second Given Name
Residence & Citizenship	City London NW32NL	State or Foreign Country England	Country of Citizenship Austria
Post Office Address	Post Office Address 38 Roderick Road	City London NW32NL	State & Zip Code/Country England
3. Full Name of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

- ☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

3. **Amendments**

- ☒ Amend the specification by inserting before the first line the sentence:
--This is a **Continuation** of U.S. application Serial No. 09/240,639, filed January 29, 1999.--
- ☐ Cancel claims _____ in the prior application before calculating the filing fee.
- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. **Copy of Prior Application**

- ☒ The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. **Sequence Listing**

The Sequence Listing in the above-identified application is identical to that in parent application U.S. Serial No. 09/240,639 filed January 29, 1999. In accordance with 37 C.F.R. 1.821(e), Applicants request that the Patent Office use the identical computer readable form of the Sequence Listing from the parent application as the computer readable form in the present application. The paper copy of the Sequence Listing included in the present specification is identical to the computer readable form of the Sequence Listing in U.S. Serial No. 09/240,639.

6. **Incorporation By Reference**

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. **Priority**

- ☐ Priority of application No. _____, filed on _____ in _____ is claimed under 35 USC 119.
- ☐ The certified copy(ies) was(were) filed in prior U.S. application Serial No. _____.
- ☐ The certified copy(ies) has(have) not been filed.

8. **Assignment**

- ☐ The prior application is assigned of record to _____, and has been recorded at Reel No. _____, Frame No. _____.

9. **Small Entity Status**

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A small entity statement is(are) attached.

10. **Application to Be Published**

☐ Yes.

☒ No. A Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i) is attached.

11. **Fee Calculation**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	11 - 20	= 0	X 9 =	\$	X 18 =	\$
INDEP.	2 - 3	= 0	X 40 =	\$	X 80 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 135 =	\$	+ 270 =	\$
Filing Fee:				\$355.00	OR	\$

12. **Method of Payment of Fees**

☒ Attached is a check in the amount of: \$355.00

☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

13. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

14. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
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233 South Wacker Drive
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By: Li Hsien Rin Laures
Li-Hsien Rin-Laures, M.D.
Reg. No: 33,547

July 13, 2001

PATENT
ATTORNEY DOCKET NO. 28110/36120C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):) Title: Methods and Compositions
) Relating to CD39-Like Polypeptides and
Chadwick et al.) Nucleic Acids
)
Serial No: to be determined) Group Art Unit: to be assigned
)
Filed: July 13, 2001) Examiner: to be assigned

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

Commissioner for Patents
Washington, D.C. 20231

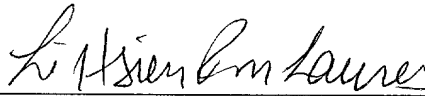
Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 1.22(b).

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
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(312) 474-6300

By:



Li-Hsien Rin-Laures, M..D.
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July 13, 2001